

STATE OF INDIANA )

IN THE LAKE SUPERIOR COURT

COUNTY OF LAKE )

) SS:

CAUSE NO. 45D10-0601-PL-00007

STATE OF INDIANA, )

Plaintiff, )

v. )

HOLLY CURSKI, )

Defendant. )

**Filed in Open Court**

**MAR 16 2006**

*Thomas R. Philpot*  
CLERK LAKE SUPERIOR COURT

**DEFAULT JUDGMENT**

The Plaintiff, State of Indiana, having filed its Motion for Default Judgment and the Court having read the same and being duly advised in the premises, now finds:

1. The Court has subject matter jurisdiction and personal jurisdiction over the Defendant.
2. The Defendant, Holly Curski, was served with notice of these proceedings and a copy of the Complaint for Breach of Contract, Injunction, Restitution, Costs, Civil Penalties, and Other Equitable Relief.
3. The Defendant has failed to appear, plead, or otherwise respond to the complaint.
4. The Defendant is not an infant, incompetent, or in military service.

**THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED** that the Motion for Default Judgment is **GRANTED** in favor of the Plaintiff, State of Indiana, and against the Defendant, Holly Curski.

**RECEIVED**

**MAR 17 2006**

*Thomas R. Philpot*  
CLERK LAKE SUPERIOR COURT

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that pursuant to Indiana Code §24-5-0.5-4(c)(1), the Defendant, Holly Curski, her agents, representatives, employees, successors and assigns are permanently enjoined from engaging in the following:

- a. representing expressly or by implication the subject of a consumer transaction has sponsorship, approval, characteristics, accessories, uses, or benefits it does not have which the Defendant knows or should reasonably know it does not have;
- b. representing expressly or by implication the subject of a consumer transaction is of a particular standard, quality, grade, style, or model, if it is not and if the Defendant knows or should reasonably know that it is not;
- c. representing expressly or by implication the Defendant is able to deliver or complete the subject of the consumer transaction within a reasonable period of time, when the Defendant knows or reasonably should know she cannot; and
- d. representing expressly or by implication a consumer will be able to purchase the subject of a consumer transaction as advertised by the Defendant, if the Defendant does not intend to sell it.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that judgment is entered for the Plaintiff, State of Indiana, and against the Defendant, Holly Curski, as follows:

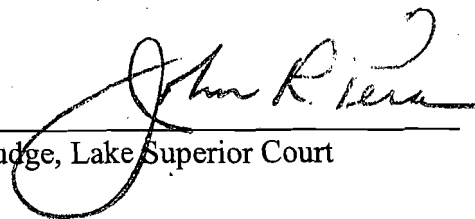
1. Cancellation of the Defendants' unlawful contracts with consumers, Nanci London, Ross Mangum, and Colleen Lewis, pursuant to Ind. Code § 24-5-0.5-4(d);
2. Consumer restitution pursuant to Ind. Code § 24-5-0.5-4(c)(2), in the amount of One Thousand Eight Hundred Seventy Dollars and Forty-Six Cents (\$1,870.46), payable to the Office of the Attorney General for allocation and distribution to the following consumers in the following amounts:
  - a. Ross Mangum of Albany, Oregon \$ 427.50;
  - b. Nanci London of Leawood, Kansas \$ 634.04; and
  - c. Colleen Lewis of Minnedosa, Canada \$ 808.92;  
**Total:** \$ 1,870.46.
3. Costs pursuant to Ind. Code § 24-5-0.5-4(c)(3), awarding the Office of the Attorney General its reasonable expenses incurred in the investigation and prosecution of this action in the amount of Five Hundred and Forty Dollars (\$540.00).
4. Civil penalties pursuant to Ind. Code § 24-5-0.5-4(g) in the amount of Fifteen Thousand Dollars (\$15,000.00) for the Defendant's knowing violations of the Deceptive Consumer Sales Act, payable to the State of Indiana;
5. Civil penalties pursuant to Ind. Code § 24-5-0.5-8 in the amount of One Thousand Five Hundred Dollars (\$1,500.00), for the Defendant's intentional violations of the Deceptive Consumer Sales Act, payable to the State of Indiana;

6. Pursuant to Count III of the Plaintiff's Complaint, the Defendant shall pay an additional Five Hundred Dollars (\$500.00) in costs to the Office of the Attorney General.

**A total monetary judgment in the amount of Nineteen Thousand Four Hundred Ten Dollars and Forty-Six Cents (\$19,410.46) shall therefore be entered in favor of the Plaintiff, State of Indiana, and against the Defendant, Holly Curski.**

**ALL ORDERED, ADJUDGED AND DECREED** on this 16<sup>th</sup> day of

March, 2006.

  
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Judge, Lake Superior Court

**DISTRIBUTION:**

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